



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, NOVEMBER 24, 2004

10:00 a.m.
City Council Chambers
Room 205
City Hall

801 North First Street
San Jose, California

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Plan Implementation Division
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP
Director Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE), 998-5299 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **November 24, 2004**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Joe Babiasz (joe.babiasz@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. [SP04-057. Special Use Permit](#) request to allow an Alternating Use Parking Arrangement between an existing church and a charter school on a 0.76 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the northeast corner of King Road and Vollmer Way (370 S KING RD) (La Trinidad United Methodist Church, Owner). Council District 5. SNI: Mayfair. CEQA: Exempt. Continued from 11/17/04.
- b. [TR04-100. Tree Removal Permit](#) to remove one Cinnamon Camphor tree approximately 60 inches in circumference on a 0.06 gross acre site in the A(PD) Planned Development Zoning District, located at 4624 Corrida Circle (Matthews Marilyn K, Owner). Council District 1. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **PT04-098. Planned Development Tentative Condominium Map Permit** to consolidate four parcels into one lot for 40 live-work and loft residences on a 0.97 gross acre site in the A(PD) Planned Development Zoning District, located at/on the northeasterly corner of The Alameda and North Morrison Avenue (70 N MORRISON AV) (Green Valley Corp, Owner). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration.
- b. **SP04-048. Special Use Permit** to allow expansion of a legal non-conforming use for a day-care center involving minor interior remodeling with an ADA accessible ramp, and new landscaping at an existing training facility on a 4.64 gross acre site in the R-2 Two-Family Residence Zoning District, located at the northwest corner of W. Virginia Street and Vine Street. (701 VINE ST) (Center For Employment Training, Owner). Council District 3. SNI: Washington. CEQA: Exempt.
- c. **SP04-063. (FORMER FILE NO. CP04-088) Special Use Permit** to add check cashing service to an existing financial service business in the DC Downtown Primary Commercial Zoning District, located on the south side of Santa Clara Street, approximately 60 feet east of Third Street (118 E Santa Clara Street) (Martinez & Montes De Oca Llc, Ball James W Trustee & Et Al, Owner). Council District 3. SNI: University. CEQA: Exempt.
- d. **H04-014. Site Development Permit** to allow an approximate 2,250 square foot expansion of an existing 1,050 square foot duplex and site modifications on a 0.11 gross acre site in the R-2 Two-Family Residence Zoning District, located at the east side of North 19th Street, approximately 200 feet southerly of East Julian Street (276 N 19TH ST) (Williams Minnie C Et Al, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt.
- e. **H04-041. Site Development Permit** to allow the construction of approximately 113,200 square feet of industrial park uses on a 8.56 gross acres site in the IP Industrial Park Zoning District, located on the south side of Piercy Road approximately 600 feet southwest of Hellyer Avenue (WTA Piercy LLC, Owner). Council District 2. SNI: None. CEQA: Edenvale Redevelopment Project EIR Resolution No.70021 as addended, File No. H 04-041.
- f. The projects being considered are located at the southwest corner of Santa Teresa Boulevard and Snell Avenue. (5899 SANTA TERESA BL), in the A (PD) Planned Development Zoning District. Council District 2. SNI: None. CEQA: Exempt.
 1. **PD 04-052. Planned Development Permit** to allow off-sale of alcoholic beverages at an existing shopping center (specialty food market) on a 3.02 gross acre site.
 2. **ABC 04-008. Liquor License Exception Permit** to allow off-sale of alcoholic beverages at an existing shopping center (specialty food market) in an area with an over-concentration of alcoholic beverage facilities on a 3.02 gross acre site.

This concludes the Planning Director's Hearing for November 24, 2004. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/index.htm>

PUBLIC INFORMATION COUNTER

(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT
PLANNING DIRECTOR'S HEARING**

Synopsis of Staff Recommendations

November 17, 2004

PUBLIC HEARINGS

1. DEFERRALS

1. CONSENT CALENDAR

a.	TR04-116	APPROVED
b.	TR04-122	APPROVED
c.	TR04-111	APPROVED
d.	SP04-060	APPROVED
e.	H04-039	APPROVED
f.	SP04-057	CONTINUED TO 11/24/04
g.	TE00-088-01	APPROVED
h1.	PD04-034	APPROVED
h2.	PT04-027	APPROVED

2. PUBLIC HEARING

a.	TR04-105	APPROVED
b.	TR04-084	DEFERRED TO 12/1/04
c.	H04-015	APPROVED